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Another Presidential Rescue Mission in North Korea

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August has become the month when former U.S. Presidents fly to Pyongyang to gain the release of U.S. citizens incarcerated for illegally entering North Korea. Last year, Bill Clinton attained the freedom of two U.S. journalists sentenced to 12 years of hard labor. Now, Jimmy Carter has arrived in North Korea seeking the freedom of Aijalon Mahli Gomes, a U.S. missionary sentenced to eight years of hard labor for crossing into North Korea and demanding the regime improve its human rights record.

Several Risks to U.S. Policy. The Carter mission has been billed, as Clinton's visit was last year, as a "purely humanitarian mission" to secure the release of a U.S. citizen. The trip, however, carries several risks for U.S. policy toward North Korea.

Carter may again be tempted to go rogue and impose his own viewpoint on U.S. policy. In 1994, pressure on North Korea was building as a result of its clandestine program to develop nuclear weapons. Amidst the resultant tensions, former President Carter took it upon himself to visit Pyongyang and unilaterally negotiate an agreement with North Korean leader Kim Il-sung.

The Clinton Administration was unaware of the parameters of Carter's freelance diplomacy. U.S. officials later stated that they only became aware of the scope of Carter's deal as they watched his CNN interview from North Korea describing it. U.S. negotiators subsequently commented that it was difficult to undo an agreement worked out by a former President, and thus Carter's freelancing came to form the basis for the 1994 Agreed Framework—an arrangement undone in 2002 by North Korean cheating.

Carter's vision for resolving current tensions would be the polar opposite of the current U.S. two-track policy of pressure and negotiations to induce North Korea to return to compliance with its previous denuclearization commitments. Carter would likely eschew the Obama Administration's current emphasis on punitive measures for Pyongyang's violation of U.N. resolutions and provocative behavior, including the unprovoked attack on, and sinking of, the South Korean naval vessel *Cheonan*.

Even if Carter restrained himself by staying on script, his mission risks undermining ongoing U.S. efforts to pressure North Korea to abandon its nuclear weapons and comply with both U.N. resolutions and international law. Secretary of State Hillary Clinton announced last month that Washington would impose sanctions on additional entities in violation of U.N. Resolution 1874. U.S. Special Advisor for Nonproliferation Robert Einhorn stated that additional targets would be named within weeks.

Misinterpretations. North Korea may interpret Carter's visit as an indication that the Obama Administration wants to move beyond the *Cheonan* incident. Similarly, South Korea may question the resolve of its U.S. ally. Senior South Korean officials commented privately that Washington advocated a

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softer response than Seoul during last month's bilateral military exercises, which were meant as a strong signal to Pyongyang. Carter's visit may appear to be an extension of this perceived softness.

China will likely cite North Korea's meeting with former President Carter as a signal that Pyongyang is willing to return to the stalled nuclear negotiations. Chinese nuclear envoy Wu Dawei is visiting Seoul and Tokyo this week to again peddle claims of "progress" with Pyongyang and to discuss ways to resume the six-party talks. Beijing will therefore argue against any new U.S. punitive measures and could even advocate for abandoning international sanctions imposed against Pyongyang for repeatedly violating U.N. resolutions.

Despite euphoric expectations that Clinton's visit last year—as well as that by U.S. envoy to the six-party talks Ambassador Stephen Bosworth in December 2009—was the precursor to a breakthrough in nuclear negotiations, Pyongyang did not abandon its recalcitrant stance.

The Message Must Remain the Same. One can only hope that the Obama Administration implored Carter to remain within narrowly defined negotiating parameters limited only to Gomes's release and to not discuss security issues. Pyongyang announced last year that it would not return to six-party talks unless the U.S. initiated peace treaty negotiations and removed its "hostile policy," defined as removing U.S. troops from South Korea, abrogating the bilateral defense treaty with Seoul, and ending the U.S. extended deterrence (i.e., the nuclear umbrella).

The U.S. should continue to insist that North Korea abide by all of its previous commitments to completely and verifiably abandon its nuclear weapons programs. Until North Korea does so, the Obama Administration should signal that it will not abandon punitive measures imposed on Pyongyang for its defiance of U.N. resolutions and international law.

To date, the U.S. and the international community have been reluctant to fully enforce Resolution 1874, preferring instead to focus only on North Korean non-compliance. It is past time for the Obama Administra-

tion to also identify and target foreign companies, banks, and governments that facilitate North Korea's nuclear and missile programs.

The Obama Administration's comprehensive two-track policy of increasing pressuring on North Korea while simultaneously holding open the door for negotiations with promised benefits for North Korean compliance provides a more viable policy than an overreliance on any one policy tool. However, the Administration's "strategic patience" policy is insufficient as a long-term strategy. Simply containing North Korea in a box is problematic for several reasons:

- It allows Pyongyang to expand and refine its nuclear and missile delivery capabilities. This not only further undermines the security of the U.S. and its allies but also sends a dangerous signal of de facto acceptance to other nuclear aspirants.
- Pyongyang may not obligingly stay in a box. The North Korean nuclear genie has already escaped the peninsular bottle since Pyongyang proliferated nuclear technology to Syria and possibly Iran and Burma as well.
- North Korea may not meekly acquiesce to a steadily declining condition. In the past, Pyongyang has reacted to feelings of weakness by lashing out in a provocative manner. It would not be unexpected if North Korea were to revert to escalatory tactics.

Given these realities, the Administration needs to strengthen its long-term policy toward North Korea.

Contingency Plan Needed. The United States and its allies must face the reality that America may be trying to negotiate the non-negotiable and that there may not be any magical combination of benefits and punishments that gets Pyongyang to abandon its decades-long quest to develop nuclear weapons. Washington should, therefore, engage in extensive contingency planning with its allies over possible next steps for policy toward North Korea, particularly in light of the uncertain outcome of a leadership succession in Pyongyang.

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